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No. 155.

# BYE-LAW

OF THE

Council of the Town of Sorel

TO APPOINT THE

*Day and Hour of its Sessions*

AND PROVIDE FOR

**The good order of its deliberations**

IN COUNCIL

OR IN COMMITTEE.



1884.

PRINTED AT " LE SORELOIS " OFFICE.

At a regular session of the Council of the Town of Sorel held at the Town-Hall Tuesday, the eighteenth day of the month of December one thousand eight hundred and eighty three, at seven o'clock in the Evening, in conformity with the dispositions of the Incorporating Act, Chapter 75 of the Statutes of 1860, and of the several acts amending the same, at which session a majority and "*quorum*" of the said Council which represents to all intents and purposes the Corporation of the Town of Sorel called : " THE MAYOR AND COUNCIL OF THE TOWN OF SOREL " ; to wit, the herein after named members of the said Council, were present ; viz :

THE MAYOR,

A. GERMAIN, ESQUIRE, IN THE CHAIR,

AND COUNCILLORS

ALPHONSE ANTOINE TAILLON,

ADOLPHE BOUCHER,

ROCH LAMOUREUX,

PIERRE PAUL HUS,

JOHN SAXTON

HYACINTHE BEAUCHEMIN

DAVID PAGÉ

DIDACE GUÉVREMONT

AND L'HON. J. B. GUÉVREMONT

IT IS ORDAINED AND ENACTED :

WHEREAS The Council is to fix the day and hour of its sittings and determine the rules of its proceedings further providing for maintaining good order, as set forth in the Incorporating act hereinbefore cited, the Council therefore enacts.

**1o** A regular sitting of the Town Council, shall be held every Tuesday in each week, in the public hall, known and designated as the Council hall, at the Town-Hall, the proceedings of which sitting shall open at half past seven o'clock in the Evening, and be governed by the dispositions of this by-law, all previous by laws contrary here to, being now amended or repealed ; but should any day so appointed be a legal or religious holiday the sitting shall take place on the next juridical day following.

**2o** A the hour appointed for the sitting and when a *quorum*, that is to say a majority of the members are present, conformably to the incorporating act, the Mayor of this Town, if he is present, or, if the Mayor is absent, the Pro Mayor, or if the Pro Mayor is absent, the Concillor chosen by the Members of the Council then present to preside, shall take the chair and call the members to order for opening the sitting.

**3o** In case the Mayor wishes to leave the chair the Pro Mayor replaces him ; and if the Pro Mayor wishes to leave the chair and does not name a Concillor to replace him, then the Senior in office shall, from his seat, call the meeting to order and preside until, as in the first case, he is replaced by right of precedence.

**4o** It shall be the duty of the members of the Council to assist at each of its sittings, unless sufficient reasons to explain their absence be offered and approved by the Coun-

cil ; and a statement of the members present or absent from the different sittings shall be drawn and submitted to the Council every three months.

**5o** When the president takes the chair the members present shall remain seated, and shall not absent themselves without previous assent from the Council, or extraordinary cause.

**6o** At the opening of the meeting the proceedings of the last meeting shall be read, so that any error or omission may be corrected and rectified.

**7o** At each session of the Council the dispatch of business shall be proceeded with in the following order ; to wit :

I.—Proceedings of last meeting to be read by Secretary Treasurer.

II.—The ordinary routine of affairs ; viz :

I.—Receiving Petitions.

II.—Receiving Committee Reports.

III.—Notice of motions.

IV.—Motions.

V.—Questions put by members.

VI.—Orders of the day.

VII.—Interpellations.

**8o** When the Council adjourns the members remain seated until the president leaves the chair.

**9o** When ever a sitting is put off or adjourned for want of a *quorum*, the Clerk or Secretary Treas, enters a mention thereof in the Register, specifying the hour and time of ajournment and the names of members present.

**10o** Half an hour after that appointed for the sitting

any member then present may have his name registered and absent himself without being liable to any reproach.

**11o** Every member may request that the Council sit with closed doors, and in that case the Mayor or President shall order the public to withdraw or adjourn the sitting to the Committee Room ; the whole without discussion.

**12o** The decision of the Council to sit with closed doors for the purposes mentioned in the 19th section of the incorporating act here in before mentioned, being made known in a loud and intelligible voice, any person attending, not being a member of the Council or a Municipal officers whose presence is required, who persists in remaining in the meeting hall, is guilty of contempt towards the Council and becomes liable to the pains and penalties now imposed in virtue of the said section.

**13o** The Mayor or presiding member shall cause order and decorum to be observed ; he decides questions of order subject however, to appeal to the Council, whenever he shall explain a question of order or practice he shall indicate the rule, authority or precedent, if any, bearing on the subject. And according to the 18th & 19th clauses of the incorporating act (23 Vic : cap 75) the Mayor or other officer presiding temporarily at one of the Councils sittings, is empowered to enforce his authority to maintain good order and decorum, by having any person guilty of grave disorder or of violent conduct, expelled from the Council hall ; and such expulsion may take place with or without the arrest of the guilty party for ultimate proceedings in punishment of his offence ; but nothing contained in this section shall affect the right of the Council to inflict fine or imprisonment or both against the offender by a resolution adopted during the sitting ; provided the fine and im-



prisonment be within the limits authorized for punishing offences against by-laws.

**14o** The president shall not take part in the discussion of matters occupying the Councils attention neither shall he vote except for a casting vote, when he may explain the same. The president may however state and establish facts and give his opinion on questions of order.

**15o** Questions of order shall be decided by the president, subject to appeal to the Council. When the president shall be called upon to explain a point of order or practice, he shall state the law or rule which applies to the case in a general manner, so as to avoid any special argument on the question at issue; the Mayor or president of a session being deemed to take no share in the debate.

**16o** Each Councillor, speaking, shall stand and address the President.

**17o** When two or more Councillors shall rise together the President shall name who shall speak first.

**18o** No member of the Council shall be interrupted while speaking, unless it is to be called to order.

**19o** Every member addressing the Council, not speaking on the question in debate or using injurious or unbecoming language against the Council or against any of its members, or making any allusion liable to offend any religious belief, shall be immediately called to order by the president who may be requested by any member to bring such member to order.

**20o** Whenever a member is called to order he is to take his seat instantly, but he may be permitted to explain himself afterwards. If any appeal is made to the Council, decision will ensue without debate. If no appeal is made the Presidents decision is final.

**21o** When a motion has been read, by the president it shall be deemed to be in the possession of the Council, it may however, be at any time withdrawn before amendment or decision, with the Councils' permission.

**22o** Each question brought before the Council shall be debated upon in the order in which it was put, excepting special rules of pre-eminence.

**23o** All motions shall be in writing and seconded before being discussed or put to vote by the Mayor or presiding member. When a motion is seconded it is read in french and in english by the Mayor or presiding member, if he is familiar with both languages if not the motion is read by the Mayor or president in one of the two languages and he shall have it read in the other language by the Secretary Treasurer or Clerk, before the motion is discussed ; but no motion asking for an expenditure shall receive effect if no notice thereof has been given at a previous meeting, without the approval of the three fourths of the members present.

**24o** If any motion is made before the Council for any subsidy, tax, assessment, or charge on the rate payers, the subject shall not be immediately considered but put off to a subsequent meeting.

**25o** Any motion or report involving the expenditure of any portion of the Municipal revenue can be adopted by the Council unless previously submitted and favorably entertained by the Finance Committee.

**26o** When a question of privilege is raised it is immediately considered.

**27o** The Mayor or presiding officer draws the attention of the Council to the different matters to be considered in the same order as they were brought on, except as to ap-



pointing sums of money or fixing a date in which case the larger sum or the lengthiest period take pre-eminence.

**28o** When a question is discussed no proposal shall be received unless it be :

1st For amending ; 2nd For referring to a Committee ; 3rd For retaining under consideration ; 4th For delay ; 5th For ajournment ; and no other question can come in debate before the Council decides on the subject under consideration, in the manner above laid down to close the argument on each matter.

**29o** A motion to put off or refer to a Committee excludes all discussion on the main question, untill decision.

**30o** A motion to amend an amendment is in order, but not an amendment to alter an amendment to an amendment.

**31o** An amendment altering the purpose of a motion is in order but not when applying to a different subject.

**32o** When an amendment is made to "strike off, or add," the paragraph it is intended to amend is read first, then the words proposed to be struck off and those to be added, and finally, as the paragraph would read if amended.

**33o** Every question or motion rejected or decided by the Council can not be brought on again during the same session, except motions to adjourn which are always in order.

**34o** If the Council divides the names of those voting for or against the question shall be recorded on the minutes.

**35o** When the members are called to vote all discussion shall cease.

**36o** Every memorial or other document addressed to the Council, shall be presented to the president by a sitting

member who shall be responsible to the Council that such document contains nothing improper.

**37o** When a by law or a petition is read before the Council, the Clerk or Secretary Treasurer, certifies the fact further endorsing thereon the date of such reading.

**38o** Every by law must be read twice before it is referred and a third time before it is signed by the Mayor and written at full length in the Register of By-laws.

**39o** No By-law presented to the Council can be read more than once at the same meeting unless a motion for a temporary suspension of this rule for a special case, is carried.

**40o** It shall be the Presidents duty when he believes a motion received by him is contrary to the rules and privileges of the Council to state it forthwith and before the motion is put to vote stating the rule applying to the case.

**41o** No other member but the mover or seconder of the question in debate, who shall be permitted to reply, shall speak more than once on the same question, unless with the Councils' permission.

**42o** Every member is entitled to have the question under consideration read for his information, at any time during the debate, but not in a manner to interrupt the member speaking.

**43o** Any member obtaining permission to speak a second time to explain certain essential part of his discourse which may have been misunderstood or wrongly interpreted, shall introduce no strange subject, otherwise he shall be called to order.

**44o** When the president puts a question to vote no member shall leave or cross the hall, nor make a noise, or

otherwise disturb order ; and when a member speaks no other is to interrupt him unless to call him to order nor shall any one pass between the speaker and the chair nor between the chair and the table.

**45o** Every member present when a question is put to vote shall vote on the same unless with the Council's dispense or that he be personally interested ; provided such interest consist in a pecuniary personal profit, in personal connection with the member himself, and not, being of such interest as is Common to all other citizens ; in which case he shall abstain from voting.

**46o** The preceding section shall always be subject to the privilege granted to members of the Council by the 19th clause of the incorporating act ; and in all cases where the privilege to have a decision with closed doors is claimed by a member, the debate in public is out of order.

**47o** Questions may be put to the Mayor, presiding officer, or president of any permanent or special Committee of the Council, with reference to any by law, motion or other public matter connected with municipal affairs, but the member putting a question shall not meanwhile emit any argument or opinion, or statement of facts, except inas much as may be requisite to explain the same or clearly develop the particular subject in point ; and in answering either instantly, or at the following sitting if the question is such as to require delay to respond thereto, no member conveying the same shall discuss the merits but barely submit and state facts bearing on the subject.

**48o** When a member is speaking or until a subject in debate remains undecided, a motion to adjourn is not in or-

der ; but a motion to adjourn, otherwise orderly, is decided upon without debate.

**49o** A motion to differ or to refer to a Committee exclude all discussion on the main point at issue until the decision concludes in the debate being resumed.

**50o** Whenever upon proposal it is resolved, that the Council sit in a General Committee, the Mayor or presiding member before leaving the chair names a member to preside, maintain order and report proceedings. The rules for Council meetings are generally and as much as practicable observed in Committee, with the exception that members are allowed to speak several times on the same subject.

**51o** In General Committee of all the members, motions concerning questions under consideration are decided in the order submitted.

**52o** A motion that the Committee rise to report is decided upon without debate.

**53o** The permanent or standing Committees are named each year at some of the first meetings after the annual Elections. They are formed of so many members not exceeding five, and not less than three each, as the Council may decide ; such Committees are ten in number ; to wit :

**1o** The Finance Committee.

**2o** The Water Works Committee.

**3o** The Light Committee.

**4o** The Market Committee.

**5o** The Fire Committee.

**6o** The Police Committee.

**7o** The Committee of Roads and Public Places.

**86** The Health Committee.

**96** The Committee on By-laws.

**106** The Town-Hall Committee.

**546** Sepecial Committees may be named by motion in Council. Committees named to report on some subject referred them by the Council shall relate facts and submit their opinion thereon in writing ; and no report shall be received in Council unless specially adopted by a Committee legally assembled and signed by a majority of its members or by the president.

**556** No Committee can enter into contract with any of its members, or effect from them, any purchase whatever.

**566** Accounts against the Town for supplies or services, can not be approved of by any president of a Committee, if such accounts have not been previously ordered and authorized by the Committee.

**576** The Clerk or Secretary Treasurer of the Town shall prepare a list of all the by-laws resolutions or reports before the Council composing the general order of the day ; communications or petitions are first considered then any affair yet unsettled and lastly the special orders of the day, unless the Council decide otherwise.

**586** The Clerk or Secretary Treasurer shall draw up process verbals and proceedings of the Council and enter therein all the orders and resolutions adopted ; he keeps notes of reports petitions and other papers submitted in Council by indicating the same by their title or by a short analysis of their contents ; he shall also refer and distribute all documents to Committees or officers concerned, immediately

after such reference is ordered ; he attends also all Committee meetings in the Committee Rooms and takes notes of their proceedings and decisions in a book specially kept for the purpose ; the minutes of proceedings in Council are signed by the Mayor or member presiding and by the Clerk or Secretary Treasurer ; the substance of the Committees proceedings set forth in written reports submitted in Council take effect as the Council decides ; however, any question deferred to a Committee and the ultimate decision on which is left to its discretion to decide, or being within the ordinary scope of its powers, is held to be definitely settled when clearly written in the Committees proceedings ; but in the latter case the decision is authenticated by the signature of the President of the Committee or by the signature of a majority of its members on the minutes of proceedings, unless *pro forma* a report is signed and produced in Council as in cases wherein decisions of Committees have to be confirmed.

**59.** During the absence of the Clerk or Secretary Treasurer the Assistant Clerk or Secretary Treasurer shall replace him and assume all his duties and obligations.

**60.** Immediately after their appointment each year, every Committee shall make a detailed statement of its expenses for the current year, and its outlay shall be limited to the appropriations sanctioned by the Council in regular session such appropriation shall be based on the estimated probable revenue submitted by the Finance Committee ; however a reserve fund of not less than ten per cent will be



set a part on the total revenue, on which nothing shall be drawn without a special decision of the Council.

**61.** Whenever the Council decides and authorizes the signing of a notarial deed or agreement in writing, without stating who is to sign on the part of the Corporation the Mayor and Secretary Treasurer or Clerk of the Town shall sign the same and the Clerk or Secretary Treasurer having the Common seal in charge shall affix the same when such formality is requisite.

**62.** The Secretary Treasurer shall keep a special account of the expenses of each Committee on the appropriated amount for the years expenses, the Secretary Treasurer shall meet all legitimate expenses authorized by the Committee up to the allotted sum only, and unless a special decision of the Council do increase the sum appropriated any further expense undergone shall render the members of the Committee who gave their assent to the excess of expense personally liable and the above designated officer shall share in such liability and besides be subject to the pains and penalties imposed for offending against by-laws.

**63.** It shall be the duty of the Chief of Police to be present in the Council Hall during the sittings and to be in constant attendance in that part of the Hall assigned for the public, and attend to the maintainance of order and decorum by the persons present ; the chief of police and any Constable replacing him in case of needful absence or assisting him in the appointed duty, shall severely apply the rules forbid-

ding persons attending there, from smoking, chewing tobacco, or committing anything subversive to propriety or good order ; any offence contrary to the present dispositions shall subject the offenders to a penalty not less than one dollar and not exceeding twenty dollars and to imprisonment in the Common Jail of the District for a term of not more than thirty days.